

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)  
COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1791

By: Reese

COMMITTEE SUBSTITUTE

An Act relating to game and fish; amending 29 O.S. 1991, Section 5-202, which relates to hunting on the land of another; providing for permission; specifying requirements; providing and clarifying exceptions; eliminating certain duty of game warden and prosecution procedures relating thereto; providing that written consent does not create additional duty of care or additional liability; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 29 O.S. 1991, Section 5-202, is amended to read as follows:

Section 5-202. A. Except as otherwise provided, no person may hunt upon the land of another without the consent of the owner, lessee or occupant of such land. Permission can be either verbal or written. Landowners requiring written permission must conspicuously post their land with signs stating "Posted Written Permission Required".

B. Areas exempt from the provisions of subsection A of this section are:

1. Lands not occupied by a resident thereon, unless notice of objection is conspicuously posted upon the premises by the owner or his agent.

2. Land belonging to this state which is not leased and occupied by a resident

3. The provisions of subsection A of this section shall not apply to hunters entering private property to retrieve game or dogs.

~~C. Any game warden investigating a hunter in the field has the duty to inform the hunter that it is necessary to obtain the~~

~~consent of the landowner, lessee or occupant to hunt on the particular property. Prosecution for violations of the provisions of this section may be commenced only upon written complaint of such owner, lessee or occupant filed before any court authorized to punish such violation, or upon written complaint to any game warden or officer authorized to make arrest for such offenses.~~

D. No person shall operate a motor-driven conveyance on lands that are fenced and posted or are in cultivation without permission of the landowner, lessee or occupant.

D. The written consent of any owner, lessee, or occupant of land authorizing a person to hunt upon the land of any such owner, lessee or occupant shall not be construed to create any additional duty of care or impose any additional liability other than specified by Sections 11 and 12 of Title 76 of the Oklahoma Statutes.

E. Any person convicted of violating any provisions of this section shall be punished by the imposition of a fine of not less than Fifty Dollars (\$50.00) nor more than One Hundred Dollars (\$100.00), or by imprisonment in the county jail for thirty (30) days, or by both said fine and imprisonment.

SECTION 2. This act shall become effective September 1, 1993.

44-1-6646

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